

REMARKS

Applicants have carefully considered the August 24, 2004 Office Action, and the amendments above together with the comments that follow are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance. Claims 1-2 were pending in this application. In response to the Office Action dated August 24, 2004, new dependent claim 3 has been added. Care has been exercised to avoid the introduction of new matter. Indeed, adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, the depicted embodiments and related discussion thereof in the written description of the specification.

Claim 1 was rejected under 35 U.S.C. § 103(a) as being obvious over Farnworth et al. (U.S. Pat. App. Pub. No. 2003/0093173, hereinafter "Farnworth") in view of Sepe, Jr. (U.S. Pat. App. Pub. No. 2001/0047213, hereinafter "Sepe"). Claim 2 was rejected under 35 U.S.C. § 103(a) as being obvious over Farnworth in view of Sepe and further in view of Faruque et al. (U.S. Pat. App. Pub. No. 2003/0149500, hereinafter "Faruque"). Applicants traverse both rejections of claims 1 and 2 under 35 U.S.C. § 103(a).

Claim 1 describes a three-dimensional object generating system. The system comprises a user terminal; and a three-dimensional plotter system connected to the user terminal through a network. The three-dimensional plotter system comprises a three-dimensional plotter, a monitoring camera for imaging the operating conditions of the three-dimensional plotter, and a three-dimensional plotter controlling computer for controlling the three-dimensional plotter. The user terminal comprises three-dimensional data generation means for generating three-dimensional data representing a three-dimensional object, a plotter data generation means for generating data for a

three-dimensional plotter from the three-dimensional data representing the three-dimensional object, monitoring means for receiving and displaying a video from the monitoring camera on the side of the three-dimensional plotter system through the network, to monitor the operating conditions of the three-dimensional plotter, and remote operation means for remotely operating the three-dimensional plotter through the network

The Examiner admitted that the primary reference, Farnworth, is silent as to a three-dimensional object generating system that is connected to a user terminal through a network, that the camera is monitored through a network, and that the remote operation means exist for remotely operating the three-dimensional plotter through the network. See pages 2-3 of the Office action. In an attempt to remedy these numerous deficiencies the Examiner relied on the secondary reference to Sepe. The Examiner concluded that it would have been obvious for one of ordinary skill in the art to modify the system of Farnworth to include the remote monitoring and controlling system taught by Sepe, with the expectation of achieving real-time interactive hardware operation, as suggested by Sepe. See page 3 of the Office action.

Applicants submit that Farnworth is a conventional laser stereolithography system that is operated by a dedicated operator at a single location where the laser stereolithography system is installed. Thus, Farnworth is incapable of providing three-dimensional object generating system capable of utilizing one three-dimensional plotter from a plurality of locations, much less provide a system in which a designer can remotely operate the three-dimensional plotter, as required in pertinent part in independent claim 1.

Moreover, Sepe is generally related to network-based control system for monitoring and controlling a remote device over a network. Similarly, Faruque is generally related to computer-

assisted design of models. Both Sepe and Faruque are silent as to their respective systems being used to monitor and control a three-dimensional object generating system.

It is well established that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge readily available to one of ordinary skill in the art. *In re Kotzab*, 217 F.3d 1365, 1370 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Applicants submit that the Examiner has not established a prima facie basis to deny patentability to the claimed subject matter under 35 U.S.C. § 103, for lack of the requisite factual basis and lack of the requisite realistic motivation. Indeed, the Examiner failed to discharge the initial burden of identifying any basis of record upon which to predicate the conclusion that one having ordinary skill in the art would have been realistically impelled to modify Farnworth's system with either of the secondary references to arrive at the claimed invention. Instead, the only place where the motivation can be found in is Applicants' own disclosure, which, of course, is forbidden territory for the Examiner to obtain the requisite motivation to combine the references. *Panduit Corp. v. Dennison Mfg. Co.*, 774 F.2d 1082, 227 USPQ 337 (Fed. Cir. 1985).

Based upon the arguments submitted supra, Applicants submit that the Examiner's rejections under 35 U.S.C. § 103 are factually and legally erroneous. Applicants, therefore, solicit the Examiner to reconsider and withdraw each of the rejections under 35 U.S.C. § 103.

Claim 3 is free from the applied art in view of its dependency from independent claim 1. The patentability of claim 1 is advanced above. Support for new claim 3 is found on page 8, lines 5-14.

**Application No.:** 10/648,234

It is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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